

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 40130-050100

First Inventor Seamans, Scott

Title BREATHABLE WORKSHOES AND METHODS FOR  
MANUFACTURING SUCH

Express Mail Label No. EV 326932696 US

10249-10/6/03  
PTO  
10/6/03  
06/23/03

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning design patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 17]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 12]
5.  Oath or Declaration [Total Pages 1]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO**

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper number of pages
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of  
(when there is an assignee) Attorney
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS  
Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16.  Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent
17.  Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP)

of prior application No. \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label



20350

PATENT TRADEMARK OFFICE

or  Correspondence address below

|         |                                      |                         |          |                         |
|---------|--------------------------------------|-------------------------|----------|-------------------------|
| Name    | Douglas M. Hamilton, Reg. No. 47,629 |                         |          |                         |
| Address |                                      |                         |          |                         |
| City    | State                                |                         | Zip Code |                         |
| Country | Telephone                            | (303) 571-4000 (Denver) | Fax      | (303) 571-4321 (Denver) |

|                   |                     |                                   |                    |
|-------------------|---------------------|-----------------------------------|--------------------|
| Name (Print/Type) | Douglas M. Hamilton | Registration No. (Attorney/Agent) | 47,629             |
| Signature         |                     |                                   | Date June 23, 2003 |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments or the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450. DE 7108186 v1

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# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 415

Complete if Known

|                      |                |
|----------------------|----------------|
| Application Number   |                |
| Filing Date          |                |
| First Named Inventor | Seamans, Scott |
| Examiner Name        |                |
| Art Unit             |                |
| Attorney Docket No.  | 40130-050100   |

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  MoneyOrder  Other  None  
 Deposit Account:

Deposit Account Number

20-1430

Deposit Account Name

Townsend and Townsend and Crew LLP

## The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity

Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 1001     | 750      | 2001     | 375      | Utility filing fee     | 375      |
| 1002     | 330      | 2002     | 165      | Design filing fee      |          |
| 1003     | 520      | 2003     | 260      | Plant filing fee       |          |
| 1004     | 750      | 2004     | 375      | Reissue filing fee     |          |
| 1005     | 160      | 2005     | 80       | Provisional filing fee |          |

SUBTOTAL (1)

(\$375)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims |       | Fees from below |        | Fee Paid |
|--------------------|--------------|-------|-----------------|--------|----------|
|                    | 20           | -20** | = 0             | X \$9  |          |
| Independent Claims | 3            | -3**  | = 0             | X \$42 | \$0      |
| Multiple Dependent |              |       |                 | X      |          |

Large Entity

Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  |
|----------|----------|----------|----------|--|
| 1202     | 18       | 2202     | 9        | Claims in excess of 20                                     |
| 1201     | 84       | 2201     | 42       | Independent claims in excess of 3                          |
| 1203     | 280      | 2203     | 140      | Multiple dependent claim, if not paid                      |
| 1204     | 84       | 2204     | 42       | ** Reissue independent claims over original patent         |
| 1205     | 18       | 2205     | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity | Fee Code (\$) | Fee (\$) | Small Entity | Fee Code (\$) | Fee (\$) | Fee Description  | Fee Paid |
|--------------|---------------|----------|--------------|---------------|----------|--|----------|
|              | 1051          | 130      |              | 2051          | 65       | Surcharge - late filing fee or oath  |          |
|              | 1052          | 50       |              | 2052          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
|              | 1053          | 130      |              | 1053          | 130      | Non-English specification  |          |
|              | 1812          | 2,520    |              | 1812          | 2,520    | For filing a request for reexamination                                     |          |
|              | 1804          | 920*     |              | 1804          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
|              | 1805          | 1,840*   |              | 1805          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
|              | 1251          | 110      |              | 2251          | 55       | Extension for reply within first month                                     |          |
|              | 1252          | 410      |              | 2252          | 205      | Extension for reply within second month                                    |          |
|              | 1253          | 930      |              | 2253          | 465      | Extension for reply within third month                                     |          |
|              | 1254          | 1,450    |              | 2254          | 725      | Extension for reply within fourth month                                    |          |
|              | 1255          | 1,970    |              | 2255          | 985      | Extension for reply within fifth month                                     |          |
|              | 1401          | 320      |              | 2401          | 160      | Notice of Appeal   |          |
|              | 1402          | 320      |              | 2402          | 160      | Filing a brief in support of an appeal                                     |          |
|              | 1403          | 280      |              | 2403          | 140      | Request for oral hearing   |          |
|              | 1451          | 1,510    |              | 1451          | 1,510    | Petition to institute a public use proceeding                              |          |
|              | 1452          | 110      |              | 2452          | 55       | Petition to revive - unavoidable   |          |
|              | 1453          | 1,300    |              | 2453          | 650      | Petition to revive - unintentional   |          |
|              | 1501          | 1,300    |              | 2501          | 650      | Utility issue fee (or reissue)   |          |
|              | 1502          | 470      |              | 2502          | 235      | Design issue fee   |          |
|              | 1503          | 630      |              | 2503          | 315      | Plant issue fee  |          |
|              | 1460          | 130      |              | 1460          | 130      | Petitions to the Commissioner  |          |
|              | 1807          | 50       |              | 1807          | 50       | Petitions related to provisional applications                              |          |
|              | 1806          | 180      |              | 1806          | 180      | Submission of Information Disclosure Stmt                                  |          |
|              | 8021          | 40       |              | 8021          | 40       | Recording each patent assignment per property (times number of properties) | 40       |
|              | 1809          | 750      |              | 2809          | 375      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
|              | 1810          | 750      |              | 2810          | 375      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
|              | 1801          | 750      |              | 2801          | 375      | Request for Continued Examination (RCE)                                    |          |
|              | 1802          | 900      |              | 1802          | 900      | Request for expedited examination of a design application                  |          |
|              |               |          |              |               |          | Other fee (specify)  |          |

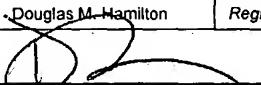
\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$40)

## SUBMITTED BY

Complete if applicable

|                   |   |                                   |        |               |              |
|-------------------|---|-----------------------------------|--------|---------------|--------------|
| Name (Print/Type) | Douglas M. Hamilton   | Registration No. (Attorney/Agent) | 47,629 | Telephone     | 303-571-4000 |
| Signature         |  |                                   |        |               |              |
|                   |   |                                   | Date   | June 23, 2003 |              |

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U.S. UTILITY PATENT APPLICATION EXPRESS MAIL FILING RECEIPT

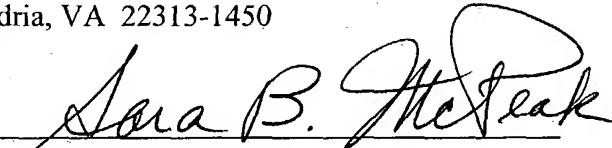
Attorney Docket No. 40130-050100  
Claiming Priority to: Attorney Docket No. 40130-050000, filed 5-23-2003  
(serial number not available), and  
Attorney Docket No. 40130-051000, filed 5-23-2003  
(serial number not available).  
Express Mail Label No. EV 326932696 US  
Date of Deposit: June 23, 2003

This Utility Patent Application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on:

DATE: June 23, 2003

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: 

Sara B. McPeak

Date: June 23, 2003